UNITED STATES PISTBIOT (POUR TO 3428-CLB Filed 05/21/2007 Page 1 of 1 Document 5 SOUTHERN DISTRICT OF NEW YORK **ELDRICK PRESSLEY** INDEX #: 07 CV 3428 DATE FILED: Plaintiff(s) 04/30/2007 Petitioner(s) - against -QUICKSILVER DEVELOPMENT CORP., A NEW YORK CORPORATION AND RICHARD SILVERMAN, INDIVIDUALLY, JUDGE: MARRERO Defendant(s) Respondent(s)

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

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That on 05/16/2007, 01:06PM at 7 ODELL PLAZA, SUITE # 146, YONKERS NY 10701, deponent served the within SUMMONS IN A CIVIL ACTION & COMPLAINT on RICHARD SILVERMAN, a defendant in the above action.

By personally delivering to and leaving with the said defendant personally a true copy thereof, and that he knew the person so served to be the person mentioned and described in the above mentioned papers.

C/O QUICKSILVER DEVELOPMENT CORP.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex M Approximate age 46 Approximate height 5'06" Approximate weight 335 Color of skin WHITE Color of hair GREY

RICHARD SILVERMAN told the deponent that he was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military

THE LAW OFFICE OF JUSTIN A. ZELLER C/O BRECHER FISHMAN 222 BROADWAY 19TH FLOOR NEW YORK, NY 10038 (212)897-5859

Dony Congliaro
TONY COMIGLIARO

Sworn to before me on 05/17/2007 MAUREEN MCCAFFREY NO.01MC5018583 NOTARY PUBLIC, STATE OF NEW YORK QUALIFIED IN SUFFOLK COUNTY COMMISSION EXPIRES OCTOBER 4, 2009

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